

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

MAY 29 2007

JOHN LAMBRINOS and NORMAN
LANDRY,

Plaintiffs,

v.

EXXON MOBIL CORPORATION and
DONALD GAGNIER,

Defendants.

HON. DAVID N. HURD, U.S.D. LAWRENCE K. BAERMAN, Clerk
HON. RANDOLPH F. TREECE, U.S.M.J. UTICA

Civil Action No. 00-CV-1734 (DNH)(RFT)

**PARTIAL STIPULATION OF DISMISSAL
WITH PREJUDICE OF THE COMPLAINT**


WHEREAS, on or about November 14, 2000, John Lambrinos ("Lambrinos") filed a Complaint initiating the above-captioned matter (the "Complaint"), which Complaint asserts six separate causes of action (the "Lambrinos Claims");

WHEREAS, on or about November 24, 2004, Exxon Mobil Corporation ("ExxonMobil") timely filed an amended Answer thereto (the "ExxonMobil Answer");

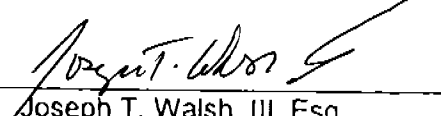
WHEREAS, Lambrinos and ExxonMobil have agreed to resolve the Lambrinos Claims as against ExxonMobil, pursuant to a separate written settlement agreement;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned, the attorneys of record for Lambrinos and ExxonMobil in the above-entitled action, that the Lambrinos Claims against ExxonMobil are hereby dismissed, with prejudice, subject to enforcement of the parties' written settlement agreement. However, nothing contained in this Partial Stipulation of Dismissal shall be deemed to constitute a dismissal of the Lambrinos Claims against Donald Gagnier, d/b/a Gagnier's Mobil Station and/or a dismissal of ExxonMobil's Cross-Claims against Donald Gagnier, d/b/a Gagnier's Mobil Station.

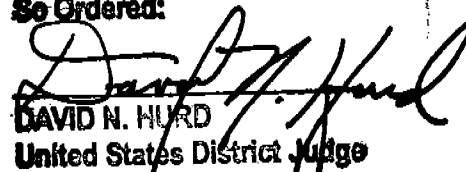
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Exxon Mobil Corporation

So Ordered:


DAVID N. HURD
United States District Judge

Dated: 5-29-07
Utica, New York